

Notice of Allowability

Application No.

09/784,692

Examiner

Robert M. Pond

Applicant(s)

ALOLABI, ZACKERY

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 23 February 2005.
2. ☒ The allowed claim(s) is/are 1-5,7,8,10 and 11.
3. ☒ The drawings filed on 15 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20050805.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The Notice of Non-Compliant Amendment mailed on 03 June 2005 is vacated.

Authorization

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hugh R. Kress, Reg. #36,574 on 05 August 2005.

Allowed Claims

Claims 1-5, 7, 8, 10, and 11 are allowable over the prior art of record. The Applicant canceled claim 6 as a result of this Examiner's Amendment. The Applicant canceled claim 9 in the amendment entered on 23 February 2005.

In the Claims

The claims as amended on 23 February 2005 have been amended as follows:

- In claim 1, delete all of claim 1 in its entirety and insert therefore:
 - -1. A perishable goods gift registry system comprising:
 - a. a control computer in communication with a gift registry computer database, said gift registry computer database recording preferences of registrants as prospective recipients of perishable goods orders;
 - b. remote terminals in communication with said control computer for recording in said gift registry computer database at least two perishable goods gift orders for a prospective recipient from one or more purchasers who are not said prospective recipient;
 - c. wherein said preferences designated by said prospective recipient or on behalf of said prospective recipient include a preselected period of time during which said prospective recipient prefers to have said at least two perishable goods orders delivered;

and wherein said control computer maintains a record for controlling delivery of said at least two perishable goods gift orders from said one or more purchasers who are not said prospective recipient to said prospective recipient on at least two different days in said preselected period of time.- -

- In claim 2, delete all of claim 2 in its entirety and insert therefore:
 - -2. The system of claim 1, wherein said orders from said one or more purchasers who are not said prospective recipient are matched by said control computer with said preferences of said prospective recipient.- -
- In claim 3, delete all of claim 3 in its entirety and insert therefore:
 - -3. The system of claim 1, wherein orders from said one or more purchasers who are not said prospective recipient are received over a global communications network.- -

- In claim 4, delete all of claim 4 in its entirety and insert therefore:
 - -4. The system of claim 1, wherein said gift registry computer database for recording said preferences of said prospective recipient comprises a common database in a structured query language.- -
- In claim 5, delete all of claim 5 in its entirety and insert therefore:
 - -5. A method of filling perishable goods gift orders by a gift registry system comprising the steps of:
 - a. establishing in a control computer in communication with a gift registry computer database a gift registry of registrants as prospective recipients;
 - b. enrolling in said gift registry computer database preferences of said prospective recipients, wherein said preferences designated by a prospective recipient or on behalf of said prospective recipient include
 - (i) at least one perishable goods gift preference; and
 - (ii) a preselected period of time during which said prospective recipient prefers to have at least two perishable goods gift orders delivered;
 - c. receiving at said control computer said at least two perishable goods gift orders from one or more purchasers who are not said prospective recipient to be provided to said prospective recipient for which said at least two perishable goods gift orders were received;

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- d. matching in said control computer said at least two perishable goods gift orders from said one or more purchasers who are not said prospective recipient with said preferences of said prospective recipient for which said at least two perishable goods gift orders were received; and
 - e. scheduling by said control computer for said at least two perishable goods gift orders received from said one or more purchasers who are not said prospective recipient to be delivered to said prospective recipient during said preselected period of time designated by said prospective recipient, wherein one of said at least two perishable goods gift orders is to be delivered on a first day in said preselected period of time and another of said at least two perishable goods gift order is to be delivered on a different day in said preselected period of time.- -
- In claim 6, delete claim 6 in its entirety.
 - In claim 7, delete all of claim 7 in its entirety and insert therefore:
 - -7. The method of claim 5, wherein said preferences of said prospective recipient are specified by someone other than said prospective recipient.- -
 - In claim 10, delete all of claim 10 in its entirety and insert therefore:
 - -10. The method of claim 5, wherein the step of enrolling said preferences of said prospective recipient into said gift registry computer database is performed over a global communications network.- -

- In claim 11, before “perishable” insert therefore: - -the- -

In the Specification

The specification as amended on 23 February 2005 has been amended as follows: In paragraph [0017], delete “purchasing registrants” and insert therefore: - -purchasers- -

Reasons for Allowability

The following is an examiner’s statement of reasons for allowance:

The field of the invention pertains to computerized gift registries and the scheduling of multiple incoming perishable gift orders from purchasers over a period of time to a recipient.

An objective of the claimed invention is to coordinate delivery of orders to a recipient of perishable gift goods from purchasers who are not the recipient such that deliveries can occur over a recipient’s preselected time period. For example pertaining to floral gift registries, a recipient receives benefit from the claimed invention by not receiving multiple flowers orders from one or more purchasers who are not the recipient all in the same day, but over a period of time to ensure fresh flowers are available over a longer period of time.

Claims 1 and 5: no prior art or record discloses nor teaches a system and method of scheduling the delivery of at least two perishable goods gift orders from one or more purchasers who are not the recipient during the time period

specified by the recipient, the perishable gift goods orders being scheduled and delivered on different days by the gift registry system.

Specific to Robertson in view of Martin, Robertson teaches estimated delivery dates for gifts purchased through the gift registry but does not teach or suggest delivering at least two perishable goods gift orders to a single recipient, received from purchasers who are not the recipient, over different days. Martin teaches just-in-time supply and delivery for business-to-business transactions, and is focused on delivering per the delivery date limits specified by the buyer. Martin does not teach or suggest at least two or more gift orders received from purchasers destined for a single recipient who is not the purchaser, coordinating the delivery of the gift orders to the single recipient such that the gift orders are delivered on different days that fall within the recipient's specified delivery time window. Robertson in view of Martin does not teach or suggest receiving from purchasers, who are not the recipient, perishable goods gift orders for a recipient and coordinating delivery of the goods gift orders to the single recipient such that the orders are staggered to prevent all orders being delivered on the same day.

The latest prior art search fails to disclose, teach, or suggest the claimed invention. The closest prior art surfacing in searches separately conducted by EIC and the Examiner fail to teach or suggest the claimed invention. Kennedy (US 6,005,519) teaches buyer and seller negotiations, making deals, and making deals that result in a one-time purchase of several items to be delivered at the same time or different times (see col. 8, lines 51-55). Kennedy discloses a buyer

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making the purchase with the intent of specifying delivery criteria that define when the buyer, who is the recipient, will receive the delivered items. Kennedy does not disclose, teach, or suggest coordinating purchase orders from one or more buyers who are not the recipient to ensure the orders are delivered on different days within a time period specified by the recipient.

Specifically, Robertson, Martin, or Kennedy alone, or in combination do not teach or suggest:

scheduling by the control computer for the at least two perishable goods gift orders received from said one or more purchasers who are not said prospective recipient to be delivered to said prospective recipient during said preselected period of time designated by said prospective recipient, wherein one of said at least two perishable goods gift orders is to be delivered on a first day in said preselected period of time and another of said at least two perishable goods gift order is to be delivered on a different day in said preselected period of time.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'R. M. Pond', with a stylized, cursive script.

Robert M. Pond
Primary Examiner
August 05, 2005